

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

10 PALOMAR GRADING AND PAVING, Civil No.08cv521 JAH (WMC)
11 INC., a California Corporation, and }
12 THE UNITED STATES OF AMERICA }
13 for the use and benefit of PALOMAR }
14 GRADING AND PAVING, INC. }
15 Plaintiff, }
16 v. }
17 WESTERN INSURANCE COMPANY }
18 AND CORNERSTONE BUILDING }
19 GROUP, }
20 Defendants. }
21
22 AND RELATED CROSS-CLAIM AND }
23 THIRD PARTY COMPLAINT }
24

20 After careful review of the parties' submissions, the Court deems Defendant
21 Cornerstone Building Group's motion to compel arbitration and stay action (Doc. No. 10)
22 suitable without oral argument. See CivLR 7.1(d.1). Accordingly, IT IS HEREBY
23 ORDERED Defendant's motion is taken under submission without oral argument and the
24 hearing set for June 30, 2008 is VACATED. The Court will issue an order in due course

25 || DATED: June 24, 2008


John A. Houston